

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO.  
WESTERN DIVISION

ESTATE OF ROGER D. OWENSBY,

\*

CASE NO. C-1-01-769  
(Judge S. Arthur Spiegel)

Plaintiff

vs.

\*

CITY OF CINCINNATI, et al.

Defendants

\*

DEFENDANTS CITY OF CINCINNATI  
AND THOMAS STREICHER, JR.'S  
RESPONSES TO PLAINTIFF'S  
SECOND REQUEST FOR  
PRODUCTION OF DOCUMENTS

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Defendants, City of Cincinnati and Thomas Streicher, Jr., responds to Plaintiffs' Second Request for Production of Documents as follows:

18. Any and all indemnification agreements that cover any award of punitive damages resulting from this litigation.

**RESPONSE: No such documents exist.**

19. All documents that set forth the chain of command for the Cincinnati Police Department, including documents that set forth the chain of command from officers like Defendants Robert B. Jorg and Patrick Caton up to the Chief of Police of the Cincinnati Police Department.

**RESPONSE: Documents have been previously provided.  
See organizational chart attached to correspondence  
dated November 18, 2003.**

20. The fingerprint identification cards for decedent Roger D. Owensby, Jr., Defendant Robert B. Jorg, Defendant Patrick Caton, and Defendant David Hunter.

**RESPONSE: Defendants will make the fingerprint card of Roger Owensby, Jr. available for Plaintiff's review at a time and place agreed upon by the parties. Defendants will not provide the fingerprint cards of Defendants Jorg, Caton and Hunter without a court order as the request seeks information which is irrelevant.**

**EXHIBIT A**

21. All documents provided to, or receive from, the Department of Justice investigation concerning the death of Roger D. Owensby, Jr.

**RESPONSE:** The investigative files produced by Homicide, Internal Investigations and the Office of Municipal Investigations were made available to the Department of Justice for their review. All documents have been previously produced to plaintiff. Defendants have no documents from the Department of Justice regarding the Owensby investigation.

22. Any and all documents concerning or at all relevant to any formal or informal complaint made against or about Defendants Robert B. Jorg, Patrick Caton, David Hunter, Darren Sellers, and/or Victor Hodge, from any source and concerning any subject matter, including but not limited to, complaints concerning the use of excessive force or complaints concerning the failure to provide medical care for suspects in custody. This includes, but is not limited to:

- a. documents concerning all complaints and other disciplinary or police review of activities listed for Defendants Robert B. Jorg, Patrick Caton, David Hunter, Darren Sellers, and/or Jason Hodge by the "Internal Affairs Bureau," as that term is defined in paragraph D of the Definition and Instructions, above;
- b. the complete documents concerning each incident listed in the disciplinary record for Defendants Robert B. Jorg, Patrick Caton, David Hunter, Darren Sellers, and/or Jason Hodge;
- c. the complete documents concerning all complaints and other disciplinary or internal police review of activities maintained by the Cincinnati Police Department concerning Defendants Robert B. Jorg, Patrick Caton, David Hunter, Darren Sellers, and/or Jason Hodge;
- d. all information contained in the computers maintained by the Internal Affairs Bureau of the Cincinnati Police Department or any other division of the City of Cincinnati or the Cincinnati Police Department concerning complaints made against Defendants Robert B. Jorg, Patrick Caton, David Hunter, Darren Sellers, and/or Jason Hodge, including but not limited to the information which is retrievable by computer codes.

**RESPONSE to 22 a-d:** In addition to the disciplinary documents previously provided, see attached documents numbered C-004254 through C-004307.

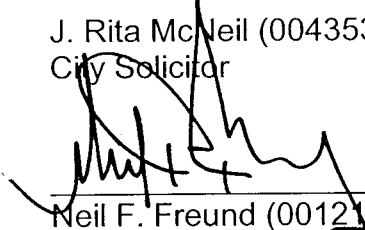
23. Copies of all Internal Affairs Bureau annual reports and case logs from January 1990 through November 7, 2000.

**RESPONSE:** See attached documents numbered C-004311 through C-004320. Documents for the year 2000 are still being collected and will be provided. Additionally, discovery is ongoing and Defendants will supplement this response with documents prior to 1998 if they become available.

24. Any and all documents concerning audits, reports, evaluations, consulting studies, and/or similar reviews of the performance of your Internal Affairs Bureau whether by evaluators or other persons within or from outside of the City of Cincinnati, from January 1990 through November 7, 2000.

**RESPONSE:** See attached documents numbered C-004204 through C-004253.

J. Rita McNeil (0043535)  
City Solicitor



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PROOF OF SERVICE

This will certify that a copy of the foregoing was served upon counsel of record by regular U.S. mail this 16th day of December, 2003:

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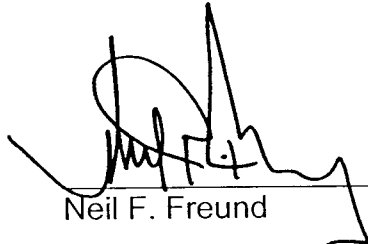
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